

ESTTA Tracking number: **ESTTA679567**Filing date: **06/23/2015**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Notice of Opposition**

Notice is hereby given that the following party opposes registration of the indicated application.

**Opposer Information**

Name	Fuente Marketing Ltd.
Granted to Date of previous extension	07/15/2015
Address	Salt Mills Plaza Unit 48c Grace Bay Road Providenciales, 00000 TURKS AND CAICOS ISLANDS
Domestic Representative	Virginia Carron Finnegan 901 New York Avenue NW Washington, DC 20001-4413 UNITED STATES virginia.carron@finnegan.com Phone:4046536452

**Applicant Information**

Application No	86395595	Publication date	03/17/2015
Opposition Filing Date	06/23/2015	Opposition Period Ends	07/15/2015
Applicant	Shenzhen Oplus Biotechnology Limited 3/F, Block B4, 3009# Guanguang Rd., Shenzhen, Guangdong, CHINA		

**Goods/Services Affected by Opposition**

Class 034. First Use: 2014/07/01 First Use In Commerce: 2014/07/01


All goods and services in the class are opposed, namely: Cartridges sold filled with propylene glycol for electronic cigarettes; Cartridges sold filled with vegetable glycerin for electronic cigarettes; Electronic cigarette liquid (e-liquid) comprised of propylene glycol; Electronic cigarette liquid (e-liquid) comprised of vegetable glycerin

**Grounds for Opposition**


Priority and likelihood of confusion	Trademark Act section 2(d)
Dilution	Trademark Act section 43(c)

**Marks Cited by Opposer as Basis for Opposition**

U.S. Registration No.	4029207	Application Date	04/29/2009
Registration Date	09/20/2011	Foreign Priority Date	NONE

Word Mark	OPUS
Design Mark	
Description of Mark	NONE
Goods/Services	Class 034. First use: First Use: 2011/07/15 First Use In Commerce: 2011/07/15 Cigars

U.S. Registration No.	1989060	Application Date	07/15/1994
Registration Date	07/23/1996	Foreign Priority Date	NONE
Word Mark	FUENTE FUENTE OPUS "X"		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1995/09/28 First Use In Commerce: 1995/09/28 cigars		


U.S. Registration No.	2495579	Application Date	11/24/1999
Registration Date	10/09/2001	Foreign Priority Date	NONE
Word Mark	FUENTE OPUSX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1999/09/00 First Use In Commerce: 1999/09/00 CIGAR AND CIGARETTE LIGHTERS OF NON-PRECIOUS METAL		


U.S. Registration No.	3546216	Application Date	02/25/2008
Registration Date	12/16/2008	Foreign Priority Date	NONE
Word Mark	FUENTE OPUS X FF X FUENTE OPUS X		

Design Mark	
Description of Mark	The mark consists of a cigar band design with a crest containing the words "FUENTE OPUSX" on each side of a center design consisting of the letter "O" containing the letters "FF" intertwined with the letter "X". The gray rectangle and the shadows are the background, and are not part of the mark.
Goods/Services	Class 034. First use: First Use: 1995/11/18 First Use In Commerce: 1995/11/18 Cigars

U.S. Registration No.	3619393	Application Date	11/11/2008
Registration Date	05/12/2009	Foreign Priority Date	NONE
Word Mark	FUENTE FUENTE OPUSX		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 2002/00/00 First Use In Commerce: 2002/00/00 Ashtrays; Cigar cutters; Cigar lighters		

U.S. Registration No.	2256200	Application Date	12/06/1995
Registration Date	06/29/1999	Foreign Priority Date	NONE
Word Mark	FUENTE OPUS X		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 034. First use: First Use: 1995/11/18 First Use In Commerce: 1995/11/18 cigars

U.S. Registration No.	2364801	Application Date	03/07/1996
Registration Date	07/04/2000	Foreign Priority Date	NONE
Word Mark	FUENTE OPUS X FF		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 034. First use: First Use: 1998/10/00 First Use In Commerce: 1998/11/00 [ ashtrays not made of precious metals;cigar cutters, ] cigar protectors, humidors, [ lighters not made of precious metal and matches ]		


Attachments	77724638#TMSN.png( bytes ) 75857912#TMSN.png( bytes ) 77404800#TMSN.png( bytes ) 77612116#TMSN.png( bytes ) 75030336#TMSN.png( bytes ) 75069035#TMSN.png( bytes ) NOO agst Shenzhen Oplus_s OPLUS App. No. 86395595.pdf(139284 bytes ) 07392.8107 - 86395595 NOO Exhibit A.pdf(665917 bytes )
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## Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Virginia L. Carron/
Name	Virginia Carron
Date	06/23/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

<p>FUENTE MARKETING LTD.</p> <p>Opposer,</p> <p>v.</p> <p>Shenzhen Oplus Biotechnology Limited.</p> <p>Applicant.</p>	<p>Opposition No. _____</p> <p>Mark: </p> <p>Serial No.: 86395595</p> <p>Filed: September 16, 2014</p>
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**NOTICE OF OPPOSITION**

Opposer, Fuente Marketing Ltd. ("Opposer" or "Fuente"), a corporation organized and existing under the laws of the Turks & Caicos Islands, believes that it is being damaged and will be damaged, by registration of the mark OPLUS shown in Serial No. 86395595 and, therefore, oppose the same. As grounds for opposition, Opposer alleges that, upon actual knowledge with respect to Fuente's own acts and upon information and belief as to other matters:

**Opposer Fuente and its OPUS Registrations and Marks**

1. Opposer, Fuente Marketing Ltd. is a corporation organized and existing under the laws of the Turks & Caicos Islands.
2. Fuente is the owner of many federally registered and common law trademarks for numerous trademarks incorporating the mark OPUS in association with

cigars and smokers' articles. For example, Fuente is the exclusive owner of the following registrations all of which feature the word OPUS:

- a. U.S. Registration No. 4,029,207 for the mark OPUS in International Class 34
- b. U.S. Trademark Registration No. 1,989,060 for the mark FUENTE FUENTE OPUS X in International Class 34,
- c. U.S. Registration 2,495,579 for the mark FUENTE OPUSX in International Class 34,
- d. U.S. Registration No. 3,546,216 for the mark FUENTE OPUS X FFX FUENTE OPUSX Design in International Class 34,
- e. U.S. Registration No. 3,619,393 for the mark FUENTE FUENTE OPUSX in International Class 34,
- f. U.S. Trademark Registration No. 2,256,200 for the mark FUENTE FUENTE OPUS X & Design in International Class 34, and
- g. U.S. Registration No. 2,364,801 for the mark FUENTE OPUS X FF & Design in International Class 34

The above-referenced marks shall individually and collectively be referred to as the "OPUS Marks". Copies of each of these U.S. Trademark Registrations are attached hereto as Exhibit A.

3. Fuente has used its OPUS Marks in U.S. commerce for the goods identified in each registration since at least as early the dates set forth therein.

4. All of the resigstration listed above are valid and subsisting, and U.S. Registration Nos. 1,989,060, 2,495,579, 3,546,216, 3,619,393, 2,256,200 and 2,364,801 are incontestable.

5. Fuente's OPUS cigars are some of the most important and high profile products in the cigar industry. All Fuente's OPUS cigars are sold in association with OPUS Marks. The FUENTE FUENTE OPUS X trademark and each of the associated OPUS Marks, that are used in association with the FUENTE FUENTE OPUS X

trademark and cigars, are some of the most widely known and famous trademarks in the cigar industry.

6. Based upon Fuente's many years of effort and multi-million dollar investment, the FUENTE FUENTE OPUS X cigar brand is extraordinarily sought after among cigar aficionados. The FUENTE FUENTE OPUS X cigar, which was introduced to market in 1995, was described by *Forbes* magazine as "a 100% Dominican cigar that Castro himself would envy." It has been consistently ranked in the 90's (on a scale of up to 100) by the *Cigar Insider* and *Cigar Aficionado*, two prominent cigar publications, and has received the highest rating of any Dominican cigar ever made. In 2005, the FUENTE FUENTE OPUS X cigar was named "The Best Cigar of the Year" by *Cigar Aficionado* and in 2007 it was ranked second best. To date, Fuente's FUENTE FUENTE OPUSX cigars continue to be consistently ranked among the best in the world. As a result, the FUENTE FUENTE OPUS X cigar and the other OPUS Marks are amongst the most famous in the cigar industry.

7. Fuente is the owner of all rights in the OPUS Marks listed above, and is the exclusive owner of each of the federal registrations thereto.

8. The OPUS Marks are widely recognized as indicating premium hand-rolled cigars manufactured and sold by Fuente.

9. Cigars bearing the OPUS Marks are marketed and sold, and have been continuously marketed and sold, in interstate commerce throughout the United States since at least as early as 1995.

10. Demand for Fuente's cigars bearing the OPUS Marks, particularly the FUENTE FUENTE OPUS X cigars far exceeds supply, which are hundreds of



thousands of cigars per year. Due to the popularity of the cigar, it is not uncommon for FUENTE FUENTE OPUS X cigars to sell for more than the suggested retail price.

11. Many millions of dollars' worth of cigars bearing the OPUS Marks have been sold in the U.S. since 1995.

12. Substantial amounts of money have been spent advertising and promoting Fuente's cigars sold in association with the OPUS Marks in the United States since 1995.

13. Fuente's cigars bearing the OPUS Marks, including the FUENTE FUENTE OPUS X cigar have been widely advertised and promoted in the U.S. in many forms of media including radio, DVDs, documentary films, all forms of printed publications and the Internet on behalf of Fuente and by many others through unsolicited media coverage.

14. Fuente's cigars bearing the OPUS Marks, have been the subject of extensive media coverage, including in *Tobacconist Magazine* and *Cigar Aficionado*, as well as in such general publications as *Forbes Magazine*, *The Wall Street Journal*, *The Robb Report*, *Black Enterprise*, *Maxim*, *Playboy*, *Selecta*, *Wine Spectator*, *Esquire* and other publications.

15. Fuente's cigars bearing the OPUS Marks also have received extensive attention on the Internet, including interactive discussions on *Cigar Aficionado's* World Wide Web page.

16. Fuente's cigars bearing the OPUS Marks have been regularly and extensively promoted throughout the U.S. Fuente's cigars bearing the OPUS Marks have been promoted through cigar industry-wide trade shows and events such as "Big

Smokes”, which are held every year and attract thousands of cigar aficionados and consumers. In addition, because the Fuente’s cigars bearing the OPUS Marks are so famous and in such high demand, they are the subject of numerous charity events and auctions across the U.S.

17. By reason of the advertisement and promotion of cigars bearing the OPUS Marks unsolicited media coverage, customer word-of-mouth, and sales of the cigars bearing the OPUS Marks have become some of the most famous and distinctive marks in the cigar industry, and were recognized, long prior to the filing date of Applicant’s application and continue to be recognized and relied upon by the trade and the public as identifying Fuente and Fuente’s products and as distinguishing them from others and the goods of others.

18. By reason of the advertisement and promotion of the various OPUS branded cigars, unsolicited media coverage, customer word-of-mouth, and sales of the Fuente cigar line in association with the Fuente OPUS Marks, the purchasing public and the cigar industry recognized, long prior to the filing date of Applicant’s application, and continue to recognize that the common characteristic OPUS is indicative of the common origin of Fuente’s cigars.

19. As result of the unsolicited media coverage, customer word-of-mouth, sales, and the advertisement and promotion of its OPUS Marks, Fuente has established tremendous goodwill, selling power and fame in and to its OPUS Marks.

**Applicant and its Mark**

20. Applicant Shenzhen Oplus Biotechnology Limited. (“Applicant”) is a Chinese corporation with an address listed as 3/F, Block B4, 3009# Guanguang Rd. Guangming St., Guangming New District, Shenzhen, Guangdong, China.

21. Applicant is the listed owner of Application Serial No. 86395595, filed on September 16, 2014, for the mark OPLUS for “Cartridges sold filled with propylene glycol for electronic cigarettes; Cartridges sold filled with vegetable glycerin for electronic cigarettes; Electronic cigarette liquid (e-liquid) comprised of propylene glycol; Electronic cigarette liquid (e-liquid) comprised of vegetable glycerin” in International Class 34, based upon Section 1(a) of the Trademark Act.

**Likelihood of Confusion, 15 U.S.C. § 1052(d)**

22. Fuente repeats and realleges each and every allegation set forth in the paragraphs above.

23. Fuente has continuously used its OPUS Marks in commerce in connection with cigars and smokers’ articles since prior to the September 16, 2014, filing date of Applicant’s Application Serial No. 86395595 for the OPLUS mark.

24. The goods of Fuente’s OPUS Marks in International Class 34 are cigars and smokers’ articles.

25. The goods of Applicant’s mark are cartridges sold filled with propylene glycol for electronic cigarettes; Cartridges sold filled with vegetable glycerin for electronic cigarettes; Electronic cigarette liquid (e-liquid) comprised of propylene glycol; Electronic cigarette liquid (e-liquid) comprised of vegetable glycerin.

26. The International Class 34 goods of Applicant's mark are related to the International Class 34 goods of Fuente's OPUS Marks - they are all smokers' articles and accessories.

27. The International Class 34 goods of Applicant's application being sold in association with its OPLUS mark are intended to be sold to smokers.

28. The cigars and smokers' articles bearing Fuente's OPUS Marks are also sold to smokers.

29. Both Fuente's OPUS Marks, and Applicant's mark feature the word "OPUS".

30. Applicant's OPLUS mark is similar to Fuente's OPUS Marks.

31. Since well before the filing date of Application No. 86395595, Fuente and its predecessors-in-interest and licensees have used the OPUS Marks in commerce in the United States in connection with the advertising, promotion, and sale of Fuente's Goods.

32. Fuente's pleaded registrations issued well before the filing date of Application No. 83395595.

33. Upon information and belief, Applicant was well aware of Fuente's prior rights in and use of the OPUS Marks in association with cigars and smokers' articles prior to the filing date of the opposed application.

34. Upon information and belief, Applicant filed Application Serial No. 86395595 with bad faith intent to trade and capitalize on Fuente's well-known OPUS Marks.

35. In view of the similarity of the parties' marks and the related nature of the parties' goods, Applicant's mark so resembles Fuente's previously used and registered marks shown above as to be likely to cause confusion, or to cause mistake, or to deceive in violation of Section 2(d), 15 U.S.C. § 1052(d).

### **Dilution**

36. Fuente repeats and realleges each and every allegation set forth in the above paragraphs.

37. Fuente's OPUS Marks became famous well before the filing date of Application No. 86395595.

38. In view of the similarities of the parties' marks and the fame of Fuente's OPUS Marks, Applicant's marks so closely resembles Fuente's famous OPUS Marks as to be likely to dilute the distinctive quality of Fuente's mark, and thus, damage Fuente.

39. Applicant's OPLUS mark will dilute the strength of Fuente's OPUS Marks to act as unique indicators of the source of Fuente's cigars and smokers' articles, in that such use will allow Applicant to take advantage of the fame and goodwill which are associated with Fuente's OPUS Marks, will enable others to pass off Applicant's smoker's goods as products of Fuente and will take the hard-earned reputation and goodwill associated with Fuente's OPUS Marks out of Fuente's control and make it instead, subject to the quality standards of Applicant, thereby damaging Fuente.

40. The registration of Applicant's OPLUS mark will lessen the capacity of Fuente's famous and distinctive OPUS Marks to distinguish and identify Fuente's goods

from those of others, thereby diluting the distinctive quality of its famous and distinctive OPUS Marks in violation of 15 U.S.C. § 1125(c).

WHEREFORE, Opposer Fuente believes that it will be damaged by use and registration of the OPLUS mark shown in Application Serial No. 86395595 and requests that this opposition be sustained and that registration of the mark in Application Serial No. 86395595 for goods in International Class 34 be denied.

A filing fee has been submitted electronically. If the filing fee is found to be insufficient for any reason, please charge such deficiency to our Deposit Account No. 06-0916.

Dated: June 23, 2015


Respectfully submitted,

/Virginia L. Carron/  
Virginia L. Carron  
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GARRETT & DUNNER, L.L.P.  
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ATTORNEY FOR OPPOSER FUENTE  
MARKETING LTD.

Attorney Docket: 07392.8107

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
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**CERTIFICATE OF SERVICE**


I certify that a true and accurate copy of the foregoing NOTICE OF OPPOSITION was served via first class postage paid U.S. mail, this 23rd day of June 2015, upon Applicant and his attorney, at the following addresses:

Shenzhen Oplus Biotechnology Limited  
3/F, Block B4, 3009# Guanguang Rd.,  
Guangming St., Guangming New District,  
Shenzhen, Guangdong  
China

Tony Tune  
10685b Hazelhurst Dr # 6254  
Houston, Texas 77043-3238

/Virginia L. Carron/

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**EXHIBIT A**



# United States of America

United States Patent and Trademark Office

# OPUS

**Reg. No. 4,029,207**

**Registered Sep. 20, 2011**

**Int. Cl.: 34**

**TRADEMARK**

**PRINCIPAL REGISTER**

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)  
SALT MILLS PLAZA, UNIT 48C  
GRACE BAY ROAD  
PROVIDENCIALES, TURKS/CAICOS IS. 00000

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 7-15-2011; IN COMMERCE 7-15-2011.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SN 77-724,638, FILED 4-29-2009.

COLLEEN KEARNEY, EXAMINING ATTORNEY



*David J. Kyros*

Director of the United States Patent and Trademark Office

Int. Cl.: 34

Prior U.S. Cls.: 2, 8, 9, and 17

**United States Patent and Trademark Office** **Reg. No. 1,989,060**  
Registered July 23, 1996

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**TRADEMARK  
PRINCIPAL REGISTER**

**FUENTE FUENTE OPUS "X"**

FUENTE CIGAR, LTD. (TURKS/CAICOS IS.  
CORPORATION)  
P.O. BOX 69-2  
ZONA FRANCA, SANTIAGO, DOMINICAN  
REP

FIRST USE 9-28-1995; IN COMMERCE  
9-28-1995.

THE ENGLISH TRANSLATION OF THE  
WORD "FUENTE" IS "FOUNTAIN".

SN 74-550,044, FILED 7-15-1994.

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9  
AND 17).

AMOS T. MATTHEWS, JR., EXAMINING AT-  
TORNEY

**Int. Cl.: 34**

**Prior U.S. Cls.: 2, 8, 9 and 17**

**United States Patent and Trademark Office**

**Reg. No. 2,495,579**

**Registered Oct. 9, 2001**

**TRADEMARK  
PRINCIPAL REGISTER**

**FUENTE OPUSX**

FUENTE CIGAR LTD (TURKS/CAICOS IS. COR-  
PORATION)  
P.O. BOX 69-2  
ZONA FRANCA INDUSTRIAL  
SANTIAGO, DOMINICAN REP

OWNER OF U.S. REG. NO. 1,989,060.

THE WORD "FUENTE" IS SPANISH FOR "FOUN-  
TAIN".

FOR: CIGAR AND CIGARETTE LIGHTERS OF  
NON-PRECIOUS METAL, IN CLASS 34 (U.S. CLS. 2,  
8, 9 AND 17).

SER. NO. 75-857,912, FILED 11-24-1999.

FIRST USE 9-0-1999; IN COMMERCE 9-0-1999.

KAREN K. BUSH, EXAMINING ATTORNEY

**Int. Cl.: 34**

**Prior U.S. Cls.: 2, 8, 9 and 17**

**United States Patent and Trademark Office**

**Reg. No. 3,546,216**

Registered Dec. 16, 2008

**TRADEMARK  
PRINCIPAL REGISTER**



FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)  
PALM GROVE HOUSE, PO BOX 438, ROAD TOWN  
TORTOLA, BR.VIRGIN ISLANDS 00000

FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FIRST USE 11-18-1995; IN COMMERCE 11-18-1995.

OWNER OF U.S. REG. NOS. 2,256,200, 3,258,403 AND OTHERS.

THE COLOR(S) GOLD, RED, ORANGE, YELLOW, BLACK AND WHITE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

THE MARK CONSISTS OF A CIGAR BAND DESIGN WITH A CREST CONTAINING THE WORDS "FUENTE OPUSX" ON EACH SIDE OF A CENTER DESIGN CONSISTING OF THE LETTER "O" CONTAINING THE LETTERS "FF" INTERTWINED WITH THE LETTER "X". THE GRAY RECTANGLE AND THE SHADOWS ARE THE BACKGROUND, AND ARE NOT PART OF THE MARK.

THE ENGLISH TRANSLATION OF THE WORD "FUENTE" IN THE MARK IS "FOUNTAIN".

SER. NO. 77-404,800, FILED 2-25-2008.

SUSAN LESLIE DUBOIS, EXAMINING ATTORNEY

**Int. Cl.: 34**

**Prior U.S. Cls.: 2, 8, 9 and 17**

**United States Patent and Trademark Office**

**Reg. No. 3,619,393**

**Registered May 12, 2009**

**TRADEMARK  
PRINCIPAL REGISTER**

**FUENTE FUENTE OPUSX**

FUENTE MARKETING LTD. (BR.VIRGIN ISLANDS CORPORATION)  
PALM GROVE HOUSE, PO BOX 438, ROAD TOWN  
TORTOLA, BR.VIRGIN ISLANDS

OWNER OF U.S. REG. NOS. 1,989,060, 2,364,801  
AND OTHERS.

FOR: ASHTRAYS; CIGAR CUTTERS; CIGAR  
LIGHTERS, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

THE ENGLISH TRANSLATION OF "FUENTE" IS  
FOUNTAIN.

FIRST USE 0-0-2002; IN COMMERCE 0-0-2002.

SER. NO. 77-612,116, FILED 11-11-2008.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

COLLEEN DOMBROW, EXAMINING ATTORNEY

**Int. Cl.: 34**

**Prior U.S. Cls.: 2, 8, 9 and 17**

**Reg. No. 2,256,200**

**United States Patent and Trademark Office**

**Registered June 29, 1999**

**TRADEMARK  
PRINCIPAL REGISTER**



**FUENTE CIGAR LTD. (TURKS/CAICOS IS.  
CORPORATION)  
ZONA FRANCA INDUSTRIAL  
SANTIAGO, DOMINICAN REP**

**FIRST USE 11-18-1995; IN COMMERCE  
11-18-1995.**

**THE ENGLISH TRANSLATION OF  
"FUENTE" IS "FOUNTAIN".**

**FOR: CIGARS, IN CLASS 34 (U.S. CLS. 2, 8, 9  
AND 17).**

**SER. NO. 75-030,336, FILED 12-6-1995.**

**JOHN DALIER, EXAMINING ATTORNEY**

**Int. Cl.: 34**

**Prior U.S. Cls.: 2, 8, 9, and 17**

**Reg. No. 2,364,801**

**United States Patent and Trademark Office**

**Registered July 4, 2000**

**TRADEMARK  
PRINCIPAL REGISTER**



FUENTE CIGAR LTD. (TURKS/CAICOS IS. COR-  
PORATION)  
ZONA FRANCA INDUSTRIAL  
SANTIAGO, DOMINICAN REP

FOR: ASHTRAYS NOT MADE OF PRECIOUS  
METALS; CIGAR CUTTERS, CIGAR PROTECTORS,  
HUMIDORS, LIGHTERS NOT MADE OF PRECIOUS  
METAL AND MATCHES, IN CLASS 34 (U.S. CLS.  
2, 8, 9 AND 17).

FIRST USE 10-0-1998; IN COMMERCE 11-0-1998.

OWNER OF U.S. REG. NO. 1,989,060.

THE ENGLISH TRANSLATION OF "FUENTE" IS  
"FOUNTAIN".

SN 75-069,035, FILED 3-7-1996.

JOHN DALIER, EXAMINING ATTORNEY